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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Jeremy Thacker,

10 Plaintiff,

11 v.

12 GPS Insight LLC, et al.,

13 Defendants.

No. CV-18-00063-PHX-DJH

**ORDER**

15 This matter is before the Court upon the filing of the Memorandum by Plaintiff  
16 related to “unresolved discovery issues” between the Parties. (Doc. 90). The Court will  
17 strike Plaintiff’s Memorandum (Doc. 90) as not being filed “in accordance with the  
18 Court’s July 26, 2018 ruling” which limited Plaintiff to “7 pages to describe the briefing  
19 [discovery issues] and no more than 12 pages to support that briefing,” and for being in  
20 violation of LRCiv 7.1. (Doc. 80).

21 As an initial matter, Plaintiff does not move for relief which can be granted, but  
22 rather spends most of his brief restating his claims in the Complaint, and the language  
23 contained in the Court’s MIDP and Scheduling Orders. These statements have already  
24 been presented to the Court multiple times.

25 Moreover, Plaintiff has filed a spreadsheet attachment in extraordinarily small font  
26 that expands his discovery dispute well-beyond that which was presented to the Court  
27 initially (Doc. 55) and he apparently expects this Court to go through this spreadsheet  
28 line-by-line. Plaintiff states with regard to this PDF spreadsheet that “simply copying

1 and pasting the unresolved requests into this Briefing would have taken up all 7 pages . . .  
2 so there was no other viable means of providing the information to the Court within the  
3 page limit.” (Doc. 90 at 5). Plaintiff wholly ignored this Court’s previous Order and  
4 LRCiv 7.1(b), which provides that “[a]ll pleadings, motions and other original  
5 documents” filed with the Court shall be typed in a “font size no smaller than 13 point.”  
6 Additionally, the “margin shall not be less than 1 ½ inches and the right margin shall not  
7 be less than ½ inch.” Moreover, the Rule provides that the text “shall be typed double-  
8 spaced and shall not exceed 28 lines per page.” Here, it is clear that the font size is much  
9 smaller than 13 point. Moreover, the margins on the page have been shrunken in order to  
10 accommodate all of the text on the pages. The Court also notes that some of the lines are  
11 cut off by the boxes because there are too many words on the page. Lastly, for example,  
12 the first page of exhibits contains 48 lines of small text, rather than the 28 lines as limited  
13 by the Rule. These exhibits are not copies of pre-existing documents in the nature of  
14 business records or bank statements, but rather “original documents” that were created by  
15 the Plaintiff for the purpose of filing with the Court. These documents are not in  
16 compliance with the Rule.

17 At the July 26, 2018 discovery dispute hearing, Plaintiff requested to have  
18 additional pages to describe these issues and this Court gave him seven pages with twelve  
19 pages of attachments, a limit that is more than reasonable under the circumstances. The  
20 Court gave Plaintiff until August 16, 2018 to file his brief. (Doc. 69). Instead of filing  
21 his brief in accordance with what was Ordered at the hearing by August 16, 2018,  
22 Plaintiff filed an ex parte Motion, requesting expedited relief, asking the Court to allow  
23 him to submit a 25-page motion with 25-pages of attachments related to “32 unresolved  
24 discovery issues.” (Doc. 75). Noting that his request went “well beyond the page limits  
25 provided for in LRCiv 7.2,” the Court denied his Motion and Ordered Plaintiff to follow  
26 the Court’s previous ruling of July 26, 2018, the transcript of which is on the docket.  
27 (Doc. 80). Moreover, it was ordered that “[t]he Court will not consider any further  
28 discovery disputes, give further guidance to the parties, or entertain any hearing requests

1 until the parties jointly certify that they have personally met and conferred on these  
2 issues." (Doc. 87). In striking the Plaintiff's Memorandum, the Court will allow Plaintiff  
3 one more opportunity to submit his arguments to the Court, related to the issues described  
4 in the Joint Notice of Discovery Dispute (Doc. 55), and in accordance with the Court's  
5 prior rulings on this matter. (Docs. 69, 80, and 87).

6 Accordingly,

7 **IT IS HEREBY ORDERED** that Plaintiff's Memorandum (Doc. 90) is  
8 **STRICKEN** for the reasons stated herein.

9 **IT IS FURTHER ORDERED** that Plaintiff shall have until August 27, 2018 to  
10 file his brief in accordance with this and all previous Orders of the Court. Defendants  
11 shall be permitted to respond within seven (7) days thereafter.

12 **Dated** this 21st day of August, 2018.

13   
14 Honorable Diane J. Humentewa  
15 United States District Judge

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